

PATENT
Attorney Docket No. 101.0077-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:)
Gary K. Michelson, M.D.)
Serial No.: 09/553,573)
Filed: April 19, 2000)
For: ARTIFICIAL LUMBAR NON-)
ARCuate INTERBODY SPINAL)
IMPLANT HAVING AN)
ASYMMETRICAL LEADING END)
(as amended))

Confirmation No.: 3776
Group Art Unit: 3738
Examiner: Bruce Snow

JAN 19 2007

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed concurrently with a Request for Continued Examination (RCE) for the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Applicant brings to the Examiner's attention U.S. Patents and co-pending applications of Applicant listed on Form PTO-1449 for the Examiner's consideration of double patenting.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines

that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: January 19, 2007

By: 

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OMB 0651-0031

Substitute for FORM PTO-1449			Attorney Docket Number 101.0077-00000		Customer No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			Applicant Gary K. Michelson, M.D.		Application Number 09/553,573	
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>			Filing Date April 19, 2000		Group Art Unit 3738	Examiner Bruce Snow
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,290,312	Mar-94	Kojimoto et al			
	6,143,032	Nov-00	Schafer			
	6,179,875	Jan-01	Von Stempel			
	6,241,771	Jun-01	Gresser			
	6,258,125	Jul-01	Paul et al.			
	6,277,149	Aug-01	Boyle et al.			
	6,350,283	Feb-02	Michelson			
	6,610,065	Aug-03	Branch et al.			
	6,666,890	Dec-03	Michelson			
	6,984,245	Jan-06	McGahan et al.			
	7,022,137	Apr-06	Michelson			
	US20060235519A1	Oct-06	Michelson			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER		DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						